

## ARTICLE 67-11

### EDUCATION PROFESSIONAL CREDENTIALS

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### CHAPTER 67-11-01 DRIVER EDUCATION INSTRUCTOR'S CREDENTIAL

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**67-11-01-01. Credentials required.** For purposes of school accreditation, a school that provides driver education must employ a teacher who holds a driver education instructor's professional credential as outlined in this chapter or who has

an approved major, minor, minor equivalency, or endorsement in driver education issued by the educational standards and practices board.

**History:** Effective February 1, 2000; amended effective June 1, 2002.

**General Authority:** NDCC 15.1-02-04, 15.1-02-11, 28-32-02, 39-06-05

**Law Implemented:** NDCC 15.1-02-04, 15.1-02-11, 39-06-05

**67-11-01-02. Issuing agency.** The issuing agency address is:

Superintendent of Public Instruction  
Department of Public Instruction  
600 East Boulevard Avenue, Dept. 201  
Bismarck, ND 58505-0440

**History:** Effective February 1, 2000.

**General Authority:** NDCC 15.1-02-04, 15.1-02-11, 28-32-02, 39-06-05

**Law Implemented:** NDCC 15.1-02-04, 15.1-02-11, 39-06-05

**67-11-01-03. Duration of credential - Revocation.** The North Dakota driver education instructor's professional credential is valid during the period the instructor is a certified teacher and must be renewed each time the instructor's educator's professional license is renewed. An instructor holding a lifetime educator's professional license must renew the driver education instructor's professional credential every five years. If a credential issued under this chapter will expire within twelve months of issuance because the educator's professional license will expire within twelve months of the issuance of the credential, the credential will be issued for a period coinciding with the period of licensure of the succeeding educator's professional license. The driver education instructor's professional credential is invalid if the instructor's driving license is revoked or suspended for any period of time during the credentialed period.

**History:** Effective February 1, 2000; amended effective June 1, 2002.

**General Authority:** NDCC 15.1-02-04, 15.1-02-11, 28-32-02, 39-06-05

**Law Implemented:** NDCC 15.1-02-04, 15.1-02-11, 39-06-05

**67-11-01-04. Credential standards.** The applicant must fulfill all of the following standards to be credentialed under this chapter:

1. Must at all times during the credential period hold a valid regular North Dakota educator's professional license issued by the education standards and practices board in accordance with North Dakota Century Code sections 15-36-01 and 15-38-18 and North Dakota Administrative Code title 67.1.
2. Must at all times during the credential period hold a valid nonsuspended and unrevoked operator's license suitable for the type of vehicle to be used.

3. Within five days of receiving oral or written notice of any pending driver's license suspension or revocation, must provide the department with written notice of any pending or actual suspension or revocation.
4. Must maintain an insurance policy at least in the amount and type required by North Dakota law, provide a copy of that policy to the department, and provide the department notice if the insurance company intends to cancel the policy.
5. Must provide the department a waiver permitting the department to obtain a copy of the driving record maintained by the state of licensure as well as submitting a copy of a driving record with the application and annually thereafter.
6. Must have a satisfactory driving record free from any conviction during the prior thirty-six months that would constitute the basis for suspension or revocation of the instructor's driving license, and may not have more than three moving traffic violations within the past thirty-six months.
7. All teachers of driver education in North Dakota must have at least a college-granted minor in driver education or have taken coursework that includes at a minimum:
  - a. Six semester or eight quarter hours consisting of at least one course each in:
    - (1) Classroom driver and traffic education; and
    - (2) In-car instruction.
  - b. Ten semester or sixteen quarter hours, including:
    - (1) No more than three semester hours or four quarter hours of health, including a maximum of one semester hour or two quarter hours of first aid and two semester hours or three quarter hours of drug education, will be counted;
    - (2) No more than three semester hours or four quarter hours of safety education which may include motorcycle education, traffic law, multicar driving ranges, accident prevention, driver training for the handicapped, defensive driving, and field experiences in safety education will be counted;
    - (3) No more than two semester hours or three quarter hours of equipment training, which may include driving simulator use and audiovisual education, will be counted;
    - (4) No more than three semester hours or four quarter hours of classroom management will be counted;

- (5) No more than three semester hours or four quarter hours of psychology, of which adolescent psychology is preferred, will be counted;
- (6) No more than two semester hours or three quarter hours of auto mechanics will be counted; and
- (7) No more than two semester hours or three quarter hours of credits received at state or national conferences held by a recognized state or national driver education association will be counted.

**History:** Effective February 1, 2000; amended effective June 1, 2002.

**General Authority:** NDCC 15.1-02-04, 15.1-02-11, 28-32-02, 39-06-05

**Law Implemented:** NDCC 15.1-02-04, 15.1-02-11, 39-06-05

**67-11-01-05. Application process.** To obtain a credential under this chapter, the applicant shall:

1. Complete an SFN 9055 form provided by the department of public instruction, including name, social security number, date, address, verification of educator's professional license, driver's license number, police record information related to traffic violations, and driver education-related coursework.
2. Provide a copy of an official college transcript that will be used to verify driver education coursework listed on the application.

**History:** Effective February 1, 2000; amended effective June 1, 2002.

**General Authority:** NDCC 15.1-02-04, 15.1-02-11, 28-32-02, 39-06-05

**Law Implemented:** NDCC 15.1-02-04, 15.1-02-11, 39-06-05

**67-11-01-06. Reconsideration.** If issuance or renewal of any credential under this chapter is denied, the denial must be in writing and must state all reasons for denial and the applicant must be notified of the opportunity for reconsideration. If an applicant for issuance or renewal of any credential under this chapter is denied, the applicant may request a reconsideration of the decision. A request for reconsideration must be in writing and must be received by the superintendent of public instruction within three weeks of the date of mailing by the department of public instruction. Late requests will not be considered. The reconsideration request must state the following:

1. The facts, law, or rule the applicant believes was erroneously interpreted or applied; and
2. The applicant's arguments on how the facts, law, or rule should have been applied, giving specific reasons and thorough analysis.

The superintendent of public instruction shall issue a final written response on the reconsideration request within three weeks after receiving a complete reconsideration request.

**History:** Effective February 1, 2000; amended effective June 1, 2002.

**General Authority:** NDCC 15.1-02-04, 15.1-02-11, 28-32-02, 39-06-05

**Law Implemented:** NDCC 15.1-02-04, 15.1-02-11, 39-06-05

**67-11-01-07. Renewal requirements.**

1. A driver education instructor credential may be renewed by submitting the following:
  - a. A renewal application form, SFN 9055, provided by the department of public instruction; and
  - b. A copy of official transcripts, issued after the date the credential being renewed was issued, documenting completion of two semester hours of undergraduate or graduate credit from the areas listed in section 67-11-01-04.
2. Each credential is valid for the term of the holder's North Dakota educator's professional license.

**History:** Effective June 1, 2002.

**General Authority:** NDCC 15.1-02-04, 15.1-02-11, 28-32-02, 39-06-05

**Law Implemented:** NDCC 15.1-02-04, 15.1-02-11, 39-06-05